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Implementation of the United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel

Report of the Secretary-General

Summary

The present report is submitted pursuant to paragraph 4 of General Assembly resolution 62/214, and provides an update on action taken and progress to implement the United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel.

The purpose of the Strategy is to ensure that victims of sexual exploitation and abuse by United Nations staff and related personnel receive appropriate assistance and support in a timely manner, in the form of medical care, legal services, support for psychological and social care and immediate material care, including food, clothing and shelter, as necessary.

The report provides information on the approach adopted to implement the Strategy, discusses ongoing activities at country and agency levels, identifies challenges and lessons learned and recommends the way forward to fully achieve the goals of the Strategy.

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I. Introduction

1. Following allegations of sexual exploitation and abuse by United Nations aid workers and peacekeepers in the Balkans, West Africa and South-East Asia, the Secretary-General promulgated a Bulletin on special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13). In addition, the high number of allegations of sexual exploitation and abuse involving peacekeepers uncovered in Bunia in the Democratic Republic of the Congo in 2004 prompted a re-thinking of the United Nations approach and a further in-depth review of this critical issue in peacekeeping operations. In March 2005, the Secretary-General released a report with his comprehensive strategy to eliminate future sexual exploitation and abuse in United Nations peacekeeping operations.[1] The report provided a comprehensive and innovative set of reforms addressed to both the United Nations Secretariat and Member States. The recommendations from the report were debated in the General Assembly in April 2005, and led to the adoption of a two-year package of reforms for peacekeeping on sexual exploitation and abuse.[2]

2. As part of the reforms, the Special Committee on Peacekeeping Operations and its Working Group in 2005 recommended in its report,[3] inter alia, that the Secretary-General provide to the Committee a comprehensive strategy for assistance to victims of sexual exploitation and abuse by United Nations personnel. Until that time, Missions were to provide emergency assistance to victims, a practice also agreed upon later by entities that endorsed the Statement of Commitment on Eliminating Sexual Exploitation and Abuse by United Nations and non-United Nations personnel, issued in December 2006.[4] The 2005 World Summit Outcome[5] also encouraged the Secretary-General to submit proposals to the General Assembly leading to a comprehensive approach to victims' assistance. This led to the development of the draft United Nations policy statement and draft United Nations comprehensive strategy on assistance and support to victims of sexual exploitation and abuse by United Nations staff or related personnel.[6]

3. The draft strategy was considered by the Special Committee on Peacekeeping Operations at its 2007 substantive session.[7] The report of the Committee stated that the draft strategy may have a "United Nations-wide" application and recommended that an ad hoc open-ended working group of the General Assembly be convened to discuss the draft strategy on victim assistance. As a result, an ad hoc working group was established in July 2007, and completed its consideration of the strategy in December 2007. The report of the working group[8] contained a draft resolution and

[1] A comprehensive strategy to eliminate future sexual exploitation and abuse in United Nations peacekeeping operations (A/59/710).

[2] General Assembly resolution 59/300.

[3] A/59/19/Rev.1.

[4] Senior leaders from United Nations and non-United Nations entities agreed to implement 10 principles contained in the Statement of Commitment stemming from the High-level Conference on Eliminating Sexual Exploitation by United Nations and NGO Personnel; as of July 2009, the Statement has been endorsed by 44 United Nations and 35 non-United Nations entities.

[5] General Assembly resolution 60/1.

[6] See A/60/877.

[7] A/61/19 (Part II).

[8] A/62/595.

an updated strategy, and recommended adoption of the same by the General Assembly. The General Assembly adopted the United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel on 21 December 2007, and the corresponding General Assembly resolution 62/214 was issued on 7 March 2008.

4. The Office for the Coordination of Humanitarian Affairs sent official communications to humanitarian coordinators and Heads of Office to announce the adoption of the Strategy and to request its implementation. The Strategy was also disseminated to all peacekeeping operations by the Department of Field Support. It was further distributed to the members of the Executive Committees on Humanitarian Affairs and Peace and Security (ECHA/ECPS) United Nations and Non-Governmental Organization (NGO) Task Force on Protection from Sexual Exploitation and Abuse for distribution to their headquarters and field offices.

II. Approach to implement the Strategy

Scope and type of assistance

5. The Strategy states that the scope of application for implementation is to "assist and support complainants, victims and children born as a result of sexual exploitation and abuse by United Nations staff and related personnel in a manner appropriate to the relevant circumstances of each location with due respect to host country legislation".[9]

6. According to the Strategy, assistance and support should be provided through existing services, programmes and their networks.[9] The Strategy also makes reference to Victim Support Facilitators, who "are those selected implementing partners requested by the United Nations to facilitate the delivery of assistance and support to complainants, victims and children born as a result of sexual exploitation and abuse".[10]

7. Under the provision of the Strategy, "complainants", or persons who allege, in accordance with established procedures, that they have been, or are alleged to have been, sexually exploited or abused by a United Nations staff member or related personnel, but "whose claim has not yet been established through a United Nations administrative process or Member States' processes, as appropriate"[10] should receive basic support and assistance in accordance with individual needs. Such basic needs would comprise medical care, legal services, psychological and social support. It can also include immediate material care such as food, clothing, emergency and safe shelter, as necessary.

8. Further to basic assistance, victims, or "persons whose claims that they have been sexually exploited or abused"[10] by a United Nations staff member or related personnel who have been established "through a United Nations administrative process or Member States' processes, as appropriate"[10] should receive additional assistance and support, as should children born as a result of sexual exploitation and abuse.

[9] See General Assembly resolution 62/214.

[10] Ibid., para. 5.

9. The Strategy defines children born as a result of sexual exploitation and abuse as children who are found by a competent national authority to have been born as a result of acts of sexual exploitation and abuse by United Nations staff or related personnel.[11]

Placing the Strategy in the broader context of protection from sexual exploitation and abuse

10. The implementation of the Strategy is an integral part of the measures undertaken by the United Nations system to prevent and address sexual exploitation and abuse. In this context, the Task Force on Protection from Sexual Exploitation and Abuse, co-chaired by the Department of Field Support and the Office for the Coordination of Humanitarian Affairs, is the current mechanism that provides the strategic guidance and supports common initiatives by the United Nations agencies and NGOs. The focus of the Task Force is fourfold: engagement with local populations, prevention, response, including assistance to victims, and management and coordination.

11. The Task Force provided critical inputs to the General Assembly ad hoc open-ended working group leading to the adoption of the Strategy. Thereafter, it focused on the development of guidance and tools for the operationalization of the Strategy. The "Sexual exploitation and abuse victim assistance guide: establishing country-based mechanisms for assisting victims of sexual exploitation and abuse by United Nations/NGO/intergovernmental organization staff and related personnel" for use by humanitarian, peacekeeping and development actors, which was drafted and finalized by the Office for the Coordination of Humanitarian Affairs in consultation with members of the Task Force, is the result of those efforts.

12. The guide was circulated in December 2008 for inputs from United Nations and NGO personnel in the field who might play a role in the implementation, and was finalized in April 2009. The guide provides practical direction for establishing victim assistance mechanisms and includes explanations of the provisions contained in the Strategy, such as who should receive assistance and support; what assistance should be provided; and how assistance should be provided. The guide notes that one key approach to implement the Strategy is to develop or maintain an inter-agency network on protection from sexual exploitation and abuse under the auspices of the resident coordinator. Those networks could then be tasked to develop an in-country victim assistance mechanism.

13. The Task Force, through the leadership of the Office for the Coordination of Humanitarian Affairs and the United Nations Development Programme (UNDP), also developed and piloted trainings for senior managers and focal points on protection from sexual exploitation and abuse on their responsibilities, including implementation of the Strategy. Personnel in at least five countries have now been trained on how to provide assistance and support under the Strategy, and the training packages are available for further training.

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[11] Furthermore, the revised model memorandum of understanding between the United Nations and troop-contributing countries indicates that paternity claims against military members of national contingents can be referred to Member States (see A/61/19 (Part III)).

Launching the implementation of the Strategy

14. Through the observations provided by the implementing partners in the field to whom the guide had been sent for review, it became clear that the seeds for inter-agency coordination on sexual exploitation and abuse work were being sown, but that considerable efforts were still needed to set up those coordination mechanisms at the country level. Partnerships at the country level have been generally weak and networks on protection from sexual exploitation and abuse have not been established in most countries. Those mechanisms and networks, however, are essential to the implementation of the Strategy, as identified in the guide, given that the Strategy calls for a United Nations-wide approach, thereby rendering inter-agency coordination critical. Partnerships between Headquarters and the field are also essential to implementation.

15. In March 2009, the United Nations Development Group (UNDG) approved revised generic job descriptions for resident coordinators that included responsibility for coordinating the establishment of networks on protection from sexual exploitation and abuse.[12] The United Nations Development Operations Coordination Office (UNDOCO),[13] which coordinates the resident coordinator system, became a member of the Task Force in early 2009. That was a positive step that enhanced or paved the way for joint efforts at the country level.

16. In view of the limitations mentioned above and the difficulties in general to foster new networks and mechanisms, discussions took place between the Department of Field Support, UNDOCO and the Office for the Coordination of Humanitarian Affairs on how best to coordinate the implementation of the Strategy, taking into account ongoing activities to prevent and address sexual exploitation and abuse. They resulted in a partnership to engage in a phased country approach that would address the concerns of the usually limited human resources capacity of the different entities and the varying levels of progress in protection from sexual exploitation and abuse. The first phase of the implementation of the Strategy focuses on 27 countries[14] where there is a large humanitarian, development and/or peacekeeping presence and where concrete and visible measures have already been undertaken to address sexual exploitation and abuse. Deputy Special Representatives of the Secretary-General and/or resident coordinators and humanitarian coordinators are present in each of those countries.

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[12] Specifically, the resident coordinator is responsible for ensuring that a network of focal points for the implementation of the provision contained in the Secretary-General's Bulletin on special measures for protection from sexual exploitation and sexual abuse is operational and supporting the development and implementation of a country-level action plan to address the issue.

[13] UNDOCO focuses on supporting and strengthening the resident coordinator system with funding, policy guidance and training on how to make country programmes more efficient, effective and aligned with national priorities, and work to streamline coordination mechanisms.

[14] Afghanistan, Burundi, Central African Republic, Chad, Colombia, Côte d'Ivoire, Democratic Republic of the Congo, Eritrea, Ethiopia, Georgia, Guinea, Haiti, Indonesia, Iraq, Kenya, Liberia, Myanmar, Nepal, Niger, Occupied Palestinian Territories, Pakistan, Somalia, Sri Lanka, Sudan, Timor-Leste, Uganda, Zimbabwe.

17. In the case of the eight peacekeeping operations[15] covering seven of these countries, conduct and discipline teams have been designated as focal points to follow up on the implementation of the Strategy. In the remaining 20 countries, the Office for the Coordination of Humanitarian Affairs requested Gender Standby Capacity Project (GenCap)[16] Advisers, where they were in place, and offices of the Office for the Coordination of Humanitarian Affairs to assist humanitarian coordinators in providing inputs on the implementation of the Strategy.

18. Further to the dissemination of the guide on establishing mechanisms for assisting victims of sexual exploitation and abuse, letters to the respective Deputy Special Representatives of the Secretary-General, resident coordinators and humanitarian coordinators were dispatched by the Under-Secretary-General of the Department of Field Support, the Under-Secretary-General and Emergency Relief Coordinator of the Office for the Coordination of Humanitarian Affairs and the Acting Chair of UNDG in April 2009, requesting information on any initiatives related to setting up a victim assistance mechanism and related activities.

19. In addition, in May 2009, a questionnaire was addressed to the headquarters and field offices of 16 agencies, funds and programmes[17] with a field presence to gather information on their efforts related to victim assistance.

20. The broader development community will be addressed in the next phase of implementation, once preliminary activities and partnerships are in place in the 27 countries. This will also enable the United Nations system to take into consideration lessons learned in the first phase.

III. Implementation of the Strategy and field practices

21. The following paragraphs provide information received from peacekeeping operations and United Nations country teams in 13 countries, as well as agencies, funds and programmes on their activities and the structures, policies and procedures that are in place or need to be established to set up a victim assistance mechanism.

[15] United Nations Mission in the Central African Republic and Chad (MINURCAT), United Nations Operation in Côte d'Ivoire (UNOCI), United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), United Nations Stabilization Mission in Haiti (MINUSTAH), United Nations Mission in Liberia (UNMIL), United Nations Mission in the Sudan (UNMIS), African Union-United Nations Hybrid Operation in Darfur (UNAMID), United Nations Integrated Mission in Timor-Leste (UNMIT).

[16] GenCap Advisers: a pool of specialists on gender, ready to be deployed in humanitarian emergencies to support humanitarian country teams in mainstreaming gender equality and gender-based violence programming into all aspects of a humanitarian response, which is overseen and directed by the GenCap Steering Committee and the Secretariat. The project is managed by the Office for the Coordination of Humanitarian Affairs, and the Norwegian Refugee Council manages the contracts of the GenCap Advisers.

[17] United Nations Volunteers, United Nations Office for Project Services, United Nations Relief and Works Agency for Palestine Refugees in the Near East, International Labour Organization, Office of the United Nations High Commissioner for Human Rights, Office of the United Nations High Commissioner for Refugees, World Health Organization, United Nations Development Programme, United Nations Children's Fund, United Nations Development Fund for Women, United Nations Population Fund, United Nations Office on Drugs and Crime, United Nations Educational, Scientific and Cultural Organization, Food and Agriculture Organization of the United Nations, International Fund for Agricultural Development, World Food Programme.

Approximately 10 country teams have taken measures to either re-establish or set up networks on protection from sexual exploitation and abuse.[18] The guide on victim assistance is being utilized as a reference tool in discussions and planning, and there is a renewed effort to strengthen collaboration between the United Nations and local and international NGO stakeholders.

22. To prepare for the provision of assistance and support in accordance with the Strategy and as per the guide, efforts have included identifying existing programmes or services in the form of hospitals, clinics or organizations that provide medical assistance; facilities that provide legal advice or processes in the absence of a formal judicial system; and services that could provide counselling, emergency shelter, clothing and food in the form of community centres or "safe havens".

23. Programmes that prevent and address gender-based violence, including sexual violence, are good entry points in several countries for discussions and partnerships for the development of a victim assistance mechanism that supports the Strategy. These programmes vary per country and region and include rapid response and assessment teams, units for vulnerable persons and gender-based violence programmes within gender or protection sectors or units.

24. The humanitarian cluster approach[19] is also important to advance the Strategy. Missions in the Democratic Republic of the Congo, Côte d'Ivoire, Liberia and Timor-Leste have been making efforts to involve the protection cluster in discussions and planning related to the Strategy. In addition, 24 of the 27 focus countries are formally implementing the cluster approach.[20]

25. The support of the host Government has been identified as one of the more essential components in activities for protection from sexual exploitation and abuse, not only to ensure the success of measures and programmes, but also for their long-term sustainability. Host Governments are key stakeholders, and engaging in sensitization or training sessions with them and collaborating on campaigns and awareness-raising have been cited as examples of successful cooperation.

Activities and measures by country

26. In Chad, with the cooperation of the office of the resident coordinator and the peacekeeping mission leadership, several efforts are under way to involve various United Nations actors and, where possible, NGO partners. The resident coordinator has taken steps to define a road map to launch a victim assistance mechanism or programme for Chad in mid-2009 in coordination with the United Nations Mission in the Central African Republic and Chad (MINURCAT) and heads of agencies.

27. Côte d'Ivoire reports that discussions have taken place between the United Nations Operation in Côte d'Ivoire (UNOCI), the office of the Office for the Coordination of Humanitarian Affairs in Abidjan and the Office of the United

[18] Terms of reference for networks on protection from sexual exploitation and abuse were finalized and distributed by the Task Force on Protection from Sexual Exploitation and Abuse.

[19] In 2005 the emergency relief coordinator launched the independent "Humanitarian Response Review" of the global humanitarian system, which assessed the humanitarian response capacities of the United Nations, NGOs, Red Cross/Red Crescent Movement and other key humanitarian actors. The cluster approach was proposed as a way of addressing gaps and strengthening the effectiveness of humanitarian response through building partnerships.

[20] See www.humanitarianreform.org/humanitarianreform/Default.aspx?tabid=70.

Nations High Commissioner for Refugees (UNHCR), which heads the inter-agency protection cluster, in order to explore the development of a victim assistance mechanism. It is anticipated that a meeting of the protection cluster in mid-2009 will also establish a network on protection from sexual exploitation and abuse in order to coordinate efforts on victim assistance and other related areas.

28. In the Democratic Republic of the Congo, structures that provide services such as legal advice, sensitization, medical and psychosocial care and a few micro-credit support initiatives for victims of gender-based violence were identified in five locations: Kinshasa, Kananga (town), Equateur (province), Goma (town) and Oriental Province. Some structures exist all over the country but are not necessarily efficient. Because the existing structures are for victims of gender-based violence, the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) recommends that it would be of direct benefit to the network on protection from sexual exploitation and abuse and the United Nations country team if they were to liaise closely with the gender-based violence initiatives. Additionally, MONUC initiated and made two presentations in May and July 2008, at the protection cluster meeting and at the Humanitarian Advocacy Group meeting, on the importance of reactivating the network on protection from sexual exploitation and abuse.

29. In late 2008, the Office for the Coordination of Humanitarian Affairs and the United Nations Children's Fund (UNICEF) hired a consultant to carry out a rapid assessment of the actions the network should undertake to reach the objectives of the Strategy and establish a victim assistance mechanism in the Democratic Republic of the Congo. The assessment report[21] was discussed in the protection cluster and with the United Nations country team in 2009. The recommendations of the report included the re-establishment of the network on protection from sexual exploitation and abuse, including appointing a network coordinator; the designation of focal points, on a full-time basis if possible; and the provision of immediate and appropriate care as per the Strategy to complainants, victims and children born as a result of sexual exploitation and abuse. In June 2009, MONUC initiated further discussions with United Nations agencies at the Programme Management Team meeting and other United Nations country team meetings, wherein the Office for the Coordination of Humanitarian Affairs, the Joint United Nations Programme on HIV/AIDS (UNAIDS), the United Nations Population Fund (UNFPA), UNICEF and the United Nations Development Fund for Women (UNIFEM) expressed interest in participating and reactivating the network on protection from sexual exploitation and abuse. In this context, other related sub-groups on gender and sexual violence have also indicated their readiness to join efforts on protection from sexual exploitation and abuse, and those United Nations country team members who had not yet done so were asked to appoint focal points on protection from sexual exploitation and abuse.

30. The United Nations Stabilization Mission in Haiti (MINUSTAH) has initiated the revival of the network on protection from sexual exploitation and abuse, which was established in November 2005. The network's initial activities were aimed at harmonizing and disseminating a common code of conduct to all United Nations

[21] Esther Dingemans, "Review of mechanisms put in place by the international community in the Democratic Republic of the Congo to eliminate sexual exploitation and abuse by humanitarian aid" (2008).

funds, programmes and agencies in Haiti. More recently, the Mission has provided medical and psychological assistance to victims in cooperation with the Staff Counsellor's office in the Mission and in partnership with international non-governmental organizations. The Mission has reported that forming relationships with international non-governmental organizations, some of which have the capacity and expertise to give free services, is also important in trying to implement the Strategy.

31. In the light of the 2008 post-election violence and based on information available from assessments conducted at the time, a GenCap Adviser position was approved by the United Nations country team in Kenya. This allowed for dedicated personnel to focus on the task of establishing a network on protection from sexual exploitation and abuse. Focal points were appointed by all United Nations country team members and subsequently received three days of training on the subject and on their roles and responsibilities.

32. A network on protection from sexual exploitation and abuse was established in May 2009 in Nairobi with co-chairing by the resident coordinator and the Kenya Red Cross Society. The focus of the network has initially been on prevention (as part of an incremental or phased approach that may be taken, as described in sect. V), and so far extensive sensitization has been carried out in half-day training sessions in all field offices. Focal points have also been selected and have assumed their responsibilities in the area of prevention. Other activities include the addition of specific clauses on sexual exploitation and abuse in agreements with contractors, information sessions with partners and a review of orientation activities for new staff.

33. Liberia has a network on protection from sexual exploitation and abuse which is chaired by the Deputy Special Representative of the Secretary-General/resident coordinator/humanitarian coordinator and includes international non-governmental organizations and United Nations members. As early as June 2006, the United Nations country team pooled funds to hire a full-time expert on protection from sexual exploitation and abuse. This Coordination Officer brought together United Nations agencies and NGOs to implement and oversee the implementation of ST/SGB/2003/13 and the zero-tolerance policy on sexual exploitation and abuse. Since 2008, the new Coordinator has been supported through the United Nations Volunteer programme, but is still funded through pooled funds, and continues to work closely with the United Nations Mission in Liberia (UNMIL) and NGO partners. In other efforts, as part of the Government of Liberia/United Nations joint programme to prevent and respond to sexual and gender-based violence, a mapping of service providers has been conducted in the areas of health, psychosocial and legal protection and security. The national sexual and gender-based violence task force is chaired by the Ministry of Gender and meets monthly. Its membership includes the United Nations, NGOs and international non-governmental organizations, in addition to the Government of Liberia.

34. A one-day workshop, coordinated by the United Nations country team and UNMIL conduct and discipline team on 18 March 2009, brought together key stakeholders, including service providers, and national and international NGOs to review the Strategy and discuss practical aspects of its implementation in Liberia. The workshop provided an opportunity for participants to begin mapping the available services in the medical, legal, psychosocial, protection and other areas. It

also demonstrated the gaps in the level of preparedness for action by the United Nations and international and national NGOs. The majority of participants had not yet begun to implement the Strategy. The concerns raised by participants made clear the importance of coordinating responses of assistance and support to victims with those in place for victims of gender-based violence. Since then, terms of reference for the development of a victim assistance mechanism have been drafted and further discussion on actions to be undertaken at field level are planned to continue under the auspices of the network on protection from sexual exploitation and abuse.

35. On a smaller scale, the UNMIL conduct and discipline team coordinates a sexual assault and rape rapid response team, established prior to the adoption of the Strategy, which consists primarily of relevant UNMIL sections — medical, United Nations police (UNPOL), Office of Senior Legal Adviser, the HIV/AIDS Adviser, or Office of Gender Adviser — and UNICEF, depending on the age of the victim. The team is specifically activated to provide immediate assistance or support to victims of sexual assault or rape involving UNMIL personnel, and works closely with the resident Office of Internal Oversight Services investigator. In addition to existing services in UNMIL, such as medical or UNPOL, the team has established contact with an international non-governmental organization-run hospital that has trained nurses and a doctor to treat victims, as well as close contacts with a Safe Home whose newest facility was constructed with UNMIL quick-impact project funds.

36. At the community level, there are Protection Core Groups bringing together key protection stakeholders for a coordinated response to sexual exploitation and abuse. Currently, the Protection Core Groups are working collaboratively with county-based gender-based task forces to improve data collection and referral mechanisms and are instrumental in the development of community-based complaint mechanisms.

37. In March 2009, in Nepal, the resident coordinator/humanitarian coordinator requested all United Nations offices, funds and programmes and prominent NGOs/intergovernmental organizations to nominate focal points to participate in Nepal's network on protection from sexual exploitation and abuse. A UNDP-led learning event for senior managers encompassed modules on establishing a network on protection from sexual exploitation and abuse and a victim assistance mechanism. At the same time, focal points were trained on their roles and responsibilities. The trainings were delivered by UNDP and the Office for the Coordination of Humanitarian Affairs, respectively, under the auspices of the Task Force on Protection from Sexual Exploitation and Abuse. The network has also widely distributed within its rank the Secretary-General's Bulletin, which has been translated into Nepali by the United Nations Mission in Nepal.

38. At the first meeting of the Nepal network, held on 13 May 2009, the members established a subcommittee to draft a framework for the establishment of a victim assistance mechanism. The subcommittee will, inter alia, design a victim assistance mechanism based on the Nepali context and aimed at responding to the individual needs of victims across the five regions of the country. The subcommittee will assess existing formal and informal networks and identify existing assistance and support mechanisms to integrate them into the Nepal victim assistance mechanism, where possible.

39. In Somalia, United Nations agencies and international and national NGOs appointed focal points on protection from sexual exploitation and abuse and

alternates. To enable the focal points to understand their responsibilities and enhance their capacities, several trainings were organized in various locations. A network on protection from sexual exploitation and abuse was established in 2008, consisting of United Nations and non-United Nations members. It is coordinated and chaired by the Office for the Coordination of Humanitarian Affairs, with technical assistance provided by a GenCap Adviser, and with the United Nations Educational, Scientific and Cultural Organization (UNESCO) serving as co-Chair. Since its inception, the network has met regularly to share information and ideas and to develop and implement a national plan of action on protection from sexual exploitation and abuse. The network is based in Nairobi because of security concerns in Somalia. However, efforts to establish field-based networks are under way. Various community-based networks have been established in Bossaso, Galkayo, in Puntland, and in Hargheisa, Somaliland, and more are expected to be established by the end of 2009. The resident coordinator/humanitarian coordinator has also hosted a learning event on protection from sexual exploitation and abuse for senior managers from the United Nations country team and NGOs, facilitated by the Task Force on Protection from Sexual Exploitation and Abuse in November 2008, which provided managers the opportunity to review their responsibility for and discuss challenges to addressing sexual exploitation and abuse. Establishing protection from sexual exploitation and abuse mechanisms is a long process, and the hiring of a protection from sexual exploitation and abuse Coordinator for at least two years has been recommended.

40. The United Nations country team focal points on protection from sexual exploitation and abuse in the Sudan, together with the United Nations Mission in the Sudan (UNMIS), have established a working group to prevent and address sexual exploitation and abuse, including conducting joint activities to raise awareness among local communities and to inform them about focal points such as the conduct and discipline team. In the few reported cases of sexual exploitation and abuse, UNMIS and the United Nations country team have provided medical services and counselling where victims have come forward. A network on protection from sexual exploitation and abuse was established in June 2009 under the auspices of the Deputy Special Representative of the Secretary-General/resident coordinator/humanitarian coordinator and in collaboration with Southern Sudan offices and the African Union-United Nations Hybrid Operation in Darfur (UNAMID), in order to map out an implementation strategy on providing assistance to victims.

41. A task force on sexual exploitation and abuse was set up in Southern Sudan in 2007, which comprises the Government Director of Gender, the United Nations country team, UNMIS substantive units such as the conduct and discipline team unit, gender, civilian affairs, child protection and HIV/AIDS, and a network of local NGOs. Various inter-entity forums have included discussions to establish a mechanism to report sexual exploitation and abuse and provide assistance to victims. A GenCap Adviser now supports the Southern Sudan task force. A learning event for senior managers, supported by the Office for the Coordination of Humanitarian Affairs under the auspices of the Task Force on Protection from Sexual Exploitation and Abuse, was completed in July 2009.

42. The UNAMID conduct and discipline team was fully established in December 2008 and coordinates with the Office for the Coordination of Humanitarian Affairs and the resident coordinator/humanitarian coordinator offices in Khartoum on

misconduct issues related to sexual exploitation and abuse and the needs of victims. UNAMID has identified medical, legal and counselling services in the mission area and interacts regularly with the local authorities and population on complaints mechanisms and how to report allegations.

43. Timor-Leste reports that there are existing mechanisms that could be adapted or partnered with to provide assistance as per the Strategy. The Vulnerable Persons Unit of the National Police of Timor-Leste, which is currently co-managed by UNPOL, is responsible for responding to incidents of domestic violence and gender-based violence within the local community, and is one of the channels for the receipt of complaints against United Nations personnel. The Deputy Special Representative of the Secretary-General/resident coordinator/humanitarian coordinator has been identified as the focal point for implementation of the Strategy in Timor-Leste, with support from the conduct and discipline team. The majority of United Nations agencies have focal points on sexual exploitation and abuse, and the United Nations system undertakes activities to collaborate in assisting and supporting victims of sexual exploitation and abuse.

44. There is no formal network on protection from sexual exploitation and abuse in place in Timor-Leste, but the United Nations Integrated Mission in Timor-Leste and the United Nations country team report that there are forums that could be approached as they address some of the tasks detailed in the terms of reference for the network on protection from sexual exploitation and abuse. One such forum is the Protection Cluster Timor-Leste,[22] which is convened by the Government in partnership with the Deputy Special Representative of the Secretary-General/resident coordinator/humanitarian coordinator and aims at ensuring a coordinated, coherent and effective response by humanitarian, human rights and other actors to respond to protection concerns in the country.

Activities at the regional level

45. The Task Force on Protection from Sexual Exploitation and Abuse delivered two regional trainings for focal points in Africa and Asia, held in South Africa and Indonesia, respectively. The aim was to train focal points who could in turn replicate the training in the countries where they work. The training package includes a module on victim assistance.

Activities reported by agencies, funds and programmes

46. Specific efforts by agencies, funds and programmes on protection from sexual exploitation and abuse and on implementing the Strategy include prevention activities such as training and dissemination of official policies and strategies. Some

[22] The Protection Cluster Timor-Leste brings together in one forum: the United Nations system in Timor-Leste, Humanitarian Coordination Unit, Administration of Justice Support Unit, Gender Affairs Unit, and the conduct and discipline team of UNMIT, UNICEF, WFP, the International Organization for Migration, the World Health Organization, UNFPA and UNIFEM; Government bodies or agencies engaged in humanitarian or human rights work, including the Ministry of Social Solidarity, the Provedoria, and the Secretary of State for the Promotion of Equality; national and international NGOs and agencies, including donors, engaged in protection activities; and members of the Red Cross Movement.

agencies have set up internal reporting mechanisms and have focal points on sexual exploitation and abuse. Others have partnered with or are willing to collaborate with United Nations country team partners to set up victim assistance mechanisms and to provide support in the form of services they have access to through other programmes, such as medical, social and legal services. The following activities are in addition to the work done by countries, the Department of Field Support, the Office for the Coordination of Humanitarian Affairs and UNDP that has already been mentioned.

47. Since 2007, UNDP has chaired the Task Force working group on field support. After assessing the needs of partners in the field, UNDP focused on the development of a learning event for senior managers and the website of the Task Force to provide the context needed for focal points assuming their tasks and responsibilities.

48. In June 2009, UNHCR published the "Facilitator's manual: UNHCR Code of Conduct Facilitators guide", which is available to all staff members and includes the Strategy and other documents on protection from sexual exploitation and abuse. The manual will be used in annual refresher code of conduct training sessions that will take place both in the field and at Headquarters. UNHCR is also planning the dissemination of the Strategy to field offices and requesting all country operations to ensure that provisions of the Strategy are integrated into the Office's Standard Operating Procedures. In addition, as part of the outputs for the coming year for the Task Force on Protection from Sexual Exploitation and Abuse, UNHCR will produce a guide on how to establish community-based complaints mechanisms, which will be widely disseminated to peacekeeping, humanitarian and development partners in the field.

49. UNICEF was actively involved in the drafting of and efforts leading up to the adoption of the Strategy. The Fund continues to provide inputs on and support for protection from sexual exploitation and abuse and on the implementation of the Strategy at Headquarters as a member of the Task Force and in the field. UNICEF has conducted trainings in various field offices on child protection as related to sexual exploitation and abuse, including for focal points. It has also provided training to national and international NGO partners on their roles in implementing the Strategy. As a member of the United Nations country team in the Central African Republic, the Democratic Republic of the Congo, Côte d'Ivoire, Nepal, the Sudan, Indonesia, Somalia, Kenya, Sri Lanka and other focus countries, UNICEF has either coordinated or contributed to specific efforts, such as the setting up and maintenance of gender-based violence programmes.

50. UNFPA has gender-based violence programmes that assist victims of violence in countries where it undertakes comprehensive programming on humanitarian response mechanisms.

51. The United Nations Office for Project Services (UNOPS) has taken steps in the area of prevention by disseminating various documents, including ST/SGB/2003/13, and posting links on the Intranet on protection from sexual exploitation and abuse. UNOPS has an independent senior staff Ethics Officer. It has disseminated the zero-tolerance policy on sexual exploitation and abuse to its staff through various media. UNOPS field offices have been encouraged by Headquarters management to collaborate with United Nations country team partners on setting up victim assistance mechanisms.

52. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) has made efforts to disseminate ST/SGB/2003/13 and the Strategy in Arabic. UNRWA has designated agency-wide field focal points on sexual exploitation and abuse and has also translated essential outreach material on protection from sexual exploitation and abuse into Arabic, including information sheets for local communities. UNRWA has clinics, schools, social services and psychological support services where staff and focal points are sensitized to issues related to gender and children.

53. The World Food Programme (WFP) has disseminated to its entire staff the Executive Director's Circular on special measures for protection from sexual abuse and exploitation in humanitarian crises. The Circular, drafted in 2005, reinforced the provisions under ST/SGB/2003/13 and added language to reflect that WFP Country Directors are held responsible for, inter alia, appointing senior level focal points and alternates on sexual exploitation and abuse. The Circular is currently under review to provide for updates since 2005.

54. Like the United Nations, NGOs have made progress in strengthening measures to address sexual exploitation and abuse, including the prerequisites for implementation of the Strategy. In addition to achievements by individual NGOs, since its inception in 2004, the Building Safer Organizations project, now part of Humanitarian Accountability Partnership (HAP) International, has been helping NGOs apply principles of good complaints and response systems to cases of sexual exploitation and abuse by, for example, training them on the conduct of investigations and on promoting implementation of common standards on protection from sexual exploitation and abuse. Other international non-governmental organization members of the Task Force on Protection from Sexual Exploitation and Abuse, such as InterAction, Oxfam, Save the Children UK, the International Rescue Committee and the Steering Committee for Humanitarian Response, have also contributed to strengthening efforts on protection from sexual exploitation and abuse.

IV. Challenges

55. General Assembly resolution 62/214 on the Strategy "calls upon relevant organizations of the United Nations system, and invites specialized agencies, to engage in an active and coordinated manner in the implementation of the Strategy", with the support of civil society. In order to engage in implementation activities, two key mechanisms on protection from sexual exploitation and abuse have been identified and highlighted by the implementing partners as the minimum prerequisites for the implementation of the Strategy: (a) networks on protection from sexual exploitation and abuse; and (b) community-based reporting and complaints mechanisms. The absence or weakness of these mechanisms accounts for some of the main challenges in implementing the Strategy and other policies on protection from sexual exploitation and abuse. Additional challenges include leadership at the inter-agency level, resource commitment by agencies, cultural perceptions, sensitization of the local population, funding, security, and general economic and political instability.

56. Building partnerships can be difficult and time consuming. The existence of just a few networks is an indication of the challenges that United Nations country

teams, peacekeeping operations and NGOs had in trying to establish cooperation and response mechanisms to jointly address sexual exploitation and abuse and victim assistance.

57. The perception that sexual exploitation and abuse is mainly a "peacekeeping" problem, at least in countries where there is a peacekeeping operation, as reported by some partners, has resulted in the hesitation of some entities to partner with mission structures such as conduct and discipline teams. However, as documented in the annual reports of the Secretary-General on special measures for protection from sexual exploitation and sexual abuse[23] and in other United Nations and NGO reports,[24] the problem occurs in humanitarian and development settings as well.

58. The lack of information in the local communities of the existence of a United Nations policy on protection from sexual exploitation and abuse and of the existence of reporting and assistance mechanisms for victims of sexual exploitation and abuse is another challenge that must be addressed.

59. While internal reporting mechanisms have been established and understood by United Nations personnel, community-based reporting and complaints mechanisms have not been set up in most countries. The establishments of such external reporting mechanisms are, however, essential to enable complainants and victims to come forward.

60. Even where reporting is possible, other factors such as cultural perceptions can hinder the reporting of allegations of sexual exploitation and abuse and in turn their effective processing, including assistance to the victims. Some societies may be more open than others, and in communities where survival sex is prevalent, there may be the fear of losing money, employment, goods or services if allegations are reported. The lack of or inefficient legal or judicial mechanisms can cause victims to either let the sexual exploitation and abuse go unaddressed or pursue more traditional methods within their communities to resolve complaints. The 2008 Save the Children UK report *No One to Turn to: The under-reporting of child sexual exploitation and abuse by aid workers and peacekeepers* identified, in chapter 7, similar reasons for such underreporting based on its research and fieldwork in Côte d'Ivoire, Haiti and Southern Sudan.

61. Kenya has shared that the absence of reporting of incidents is the most significant challenge that their network on protection from sexual exploitation and abuse faces and has learned from setting up a complaints mechanism for displaced persons. An effective, safe and accessible complaints system is essential in order to identify and assist complainants and victims. To establish such a system, the network is undertaking the task of identifying existing agency complaints systems, drafting a sexual exploitation and abuse complaints system for management approval and holding consultations with communities. Active participation by potential and actual beneficiaries is a vital but complex and time-consuming

[23] Pursuant to General Assembly resolution 57/306, A/58/777, A/59/782, A/60/861, A/61/957, A/62/890 and A/63/720.

[24] "Sexual Violence and Exploitation: The Experience of Refugee Children in Liberia, Guinea and Sierra Leone — Report of Assessment Mission carried out from 22 October-30 November 2001" (United Nations High Commissioner for Refugees, Save the Children UK, January 2002); "To Complain or Not to Complain: Still the Question: Consultations with humanitarian aid beneficiaries on their perceptions of efforts to prevent and respond to sexual exploitation and abuse" (HAP International, June 2008).

element of the process. The Sudan, as well as UNMIS and the United Nations country team, reports similar challenges in establishing complaints mechanisms within the United Nations system and among partners.

62. Liberia reports reluctance by victims to undergo formal judicial processes owing to varying levels of efficiency or availability of such legal and judicial services, transport expenses and intimidation by the local community. Survival sex is also prevalent and sexual exploitation is not necessarily viewed by the local community as a priority concern compared to pressing socio-economic issues.

63. Paradoxically, even if incidents are reported, the identification of and access to complainants are often challenging. The cooperation of and partnership with local and international NGOs play an important role here. It has been observed that there may be reluctance on the part of those partners to share information on victims with the United Nations. This may be due to the need to protect the identity of complainants (such as minors), but also to the level of trust those partners place in the ability of the United Nations system to deal with such issues in a confidential and effective manner. In other instances, complainants may be difficult to identify, given that the information provided is sometimes limited when allegations are reported.

64. Another challenge is the lack of designated funding or budgets to support elements of the Strategy. Although in some contexts it will be possible to implement the Strategy without additional funding, resources may be required for instance in countries that are geographically large or lack pre-existing referral networks, such as those on gender-based violence. In the Democratic Republic of the Congo, the size of the country makes it difficult to coordinate a victim assistance mechanism without extensive travel and the existence of focal points on sexual exploitation and abuse in local communities. Funding for a consultant to gather information on existing services is being sought at the country and Mission level.

65. Finally, external factors also have an impact. For example, in Darfur, activities on protection from sexual exploitation and abuse and access to victims is affected by security and logistical considerations and poor communications systems. Security is also an issue in Afghanistan and Iraq, where unstable political situations and ongoing conflicts make the day-to-day work of the United Nations and NGOs challenging.

V. Lessons learned

66. As identified in the challenges, a major lesson learned on the implementation of the Strategy is the need to have a common structure, such as networks on protection from sexual exploitation and abuse in place. Ideally, these networks should include the United Nations country team, the humanitarian country team where in place, peacekeeping operations where present, and NGOs and local partners such as the local authorities, where possible. The existence and availability of reporting or complaints mechanisms, particularly in rural areas, are also considered essential.[25]

[25] Collaborative efforts are increasing in countries in this regard; i.e., in late April 2009, members of the protection from sexual exploitation and abuse network in Kenya attended a specialized training delivered by HAP International on developing complaints and response mechanisms.

67. In general, the concept of sexual exploitation and abuse is little understood by the population at large. In a context of gender inequality, poverty and unequal power structures, abuse and exploitation are commonplace, expected and widespread. Where local communities do not understand what constitutes sexual exploitation and abuse and that the United Nations policies on the issue are very strict, it is difficult for them to come forward to report it when it occurs and to request assistance. In Southern Sudan, the success of the outreach campaigns organized by UNMIS in partnership with United Nations agencies, international non-governmental organizations and the Government has created more awareness and increased the demand by local law enforcement authorities for training on addressing the occurrence of sexual exploitation and abuse and on United Nations standards of conduct. As an example, Southern Sudan Police Services attend Mission-organized events and activities.

68. Given the time that it takes and the difficulties already mentioned to establish coordinated mechanisms at the country level, some countries and entities have found that an incremental or phased approach on protection from sexual exploitation and abuse can lay the groundwork for a mechanism on victim assistance. Prevention activities, including training, designating focal points and setting up a network on protection from sexual exploitation and abuse, could be the foundation for setting up other mechanisms.

69. The funding of protection from sexual exploitation and abuse, including the Strategy, has been highlighted as an issue by a number of partners. As noted earlier, specific projects will require funding such as to establish or facilitate the establishment of coordination capacities. The guide on victim assistance provides some options on how to fund such mechanisms, including the possibility of pooling funds at the country level. By way of example, quick-impact projects have been used in the Democratic Republic of the Congo, Haiti and Liberia to fund specific and time-bound activities. In the Democratic Republic of the Congo, quick-impact projects were used to support victims of gender-based violence, and MONUC is now looking at the possibility of seeking support from quick-impact projects for further assistance to victims.

70. The anticipated high number of victims requesting basic or longer term assistance has not materialized since the Strategy was adopted. While a review may be considered to identify additional causes, the factors mentioned under section IV above are relevant in this regard; i.e., lack of information, fear of reporting, and lack of trust or availability of reporting mechanisms. However, unless and until visible results are accomplished, complainants and victims may not feel confident to come forward.

71. Among some of the good practices at the country level, it is worth noting that in 2008 and 2009, the Office for the Coordination of Humanitarian Affairs and UNDP, under the auspices of the Task Force on Protection from Sexual Exploitation and Abuse, initiated a best practice series: conversations with resident coordinators and humanitarian coordinators.[26] These conversations provided insights into efforts made by senior leaders in the field and the impact that such leadership commitment has on advancing the implementation of policies and structures.

[26] Conversations on efforts on protection from sexual exploitation and abuse took place with the current resident coordinators/humanitarian coordinators of Kenya, Libyan Arab Jamahiriya and Somalia, and with the former resident coordinator/humanitarian coordinator of Liberia.

VI. Conclusions and the way forward

72. The approval in December 2007 of the Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel was seen as a policy breakthrough in the sensitive and challenging areas of the work of the United Nations in the field. The introduction of any new policy in a complex and multicultural environment encounters many challenges, in terms of the establishment of new mechanisms, internal coordination and the integration of outside partners. It requires commitment, time and resources from a multitude of actors. While progress thus far may not be as visible as was possibly expected at the time of adoption of the Strategy, significant inroads have been made towards future provision of assistance and support to victims, as noted in this report. The commitment of the leadership of the various entities of the United Nations system and NGO partners at Headquarters and in the field is essential to continue the implementation of the Strategy and to take the actions set out in this report to build a credible, trusted victim assistance programme.

73. At the strategic global level, in 2009, the Task Force on Protection from Sexual Exploitation and Abuse recognized that a strategy and a programme of action on protection from sexual exploitation and abuse need to be better institutionalized within existing structures of high-level management and policy decision-making, such as UNDG, the High-level Committee on Management, the Inter-Agency Standing Committee and the Global Humanitarian Platform, where accountability mechanisms for prevention and response can be developed and implemented. This plan for institutionalization resulted in renewed commitments and the decision to conduct a review or stocktaking of protection from sexual exploitation and abuse in humanitarian and development settings. At the same time, options are being actively pursued to better anchor the work on protection from sexual exploitation and abuse at the strategic level of the Organization, including partnerships with NGOs. It is anticipated that these initiatives will have a direct impact on strengthening the institutional commitment to and accountability frameworks for implementation of the Strategy among other measures on protection from sexual exploitation and abuse.

74. The implementation of the Strategy should, therefore, continue to be fully integrated into the work of the Task Force on Protection from Sexual Exploitation and Abuse. In this connection, the Task Force is developing a funding proposal to address some of the critical gaps such as reporting mechanisms and tools and the financing of a pool of protection from sexual exploitation and abuse experts to support networks and their implementation of the Strategy. At the country level, additional efforts are needed to establish or maintain networks and access to complaints mechanisms to facilitate the implementation of the Strategy. Broad participation and consultation is also recommended with United Nations partners, national authorities, and international and national NGO communities, where possible. A flexible approach on implementation could be considered depending on the circumstances specific to each country.

75. The issue of identification and access to victims should be critically reviewed and discussed with all partners. The Strategy adopted in December 2007 should be evaluated, taking into account the realities on the ground and the identified challenges in its implementation, to ensure that the provisions of the Strategy are in consonance with the needs of complainants and victims.

76. A well researched and professional communication strategy on protection from sexual exploitation and abuse, which is simple and comprehensible and resonates with the community, is the indispensable complement to the implementation of the Strategy. Such sensitization and communication campaigns should be integrated and/or coordinated in the awareness-raising responsibilities of conduct and discipline teams and focal points on sexual exploitation and abuse.

VII. Action requested by the General Assembly

77. **The General Assembly may wish to:**

- **Take note of the activities reported in the present report;**
- **Recommend continued implementation of the Strategy as indicated in paragraphs 72 to 76 of the present report.**